

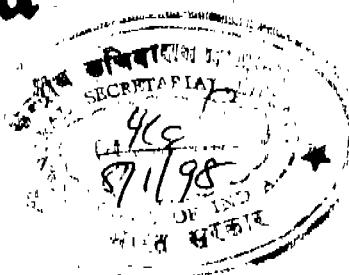
भारत का चाजपत्र

The Gazette of India

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Separate paging is given to this Part in order that it may be filed as a separate compilation.



LOK SABHA

The following Bill was introduced in Lok Sabha on 31st July, 1997.

BILL No 110 OF 1997

A Bill to provide for facilities to Leaders and Chief Whips of recognised parties and groups in Parliament.

BE it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1997.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "recognised group" means,—

(i) in relation to the Council of States, every group of parties which has a strength of not less than fifteen members in the Council and has been recognised by the Chairman as such group;

(ii) in relation to the House of the People, every group of parties which has a strength of not less than thirty members in the House and has been recognised by the Speaker as such group;

(b) "recognised party" means,—

(i) in relation to the Council of States, every party which has a strength of not less than twenty-five members in the Council and has been recognised by the Chairman as such party;

(ii) in relation to the House of the People, every party which has a strength of not less than fifty members in the House and has been recognised by the Speaker as such party.

3. Subject to any rules made in this behalf by the Central Government, each leader (other than the Leader of the Opposition as defined in section 2 of the Salary and Allowances of the Leaders of Opposition in Parliament Act, 1977) and each Chief Whip of a recognised group and a recognised party shall be entitled to telephone and secretarial facilities.

33 of 1997.

Facilities to the Leaders and Chief Whips of recognised groups and parties.

Power to make rules.

4. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Amendment of section 3 of Act 10 of 1959.

5. In the Parliament (Prevention of Disqualification) Act, 1959, in section 3,—

(i) after clause (aa), the following clause shall be inserted, namely:—

"(ab) the office of each leader of a recognised party and a recognised group in either House of Parliament;"

(ii) after *Explanation 2*, the following *Explanation* shall be inserted, namely:—

'Explanation 3.—In clause (ab), the expression "recognised party" and "recognised group" shall have the meanings assigned to them in the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1997.'

STATEMENT OF OBJECTS AND REASONS

The last All-India Whips' Conference held at Bangalore in January, 1994 made the following recommendation:—

"Chief Whips of recognised Opposition Parties in Parliament and the State Legislatures should be provided secretarial assistance and facilities of telephone and office accommodation in the premises of Legislatures by giving them statutory recognition (Secretarial assistance means one Stenographer Grade 'B' and one Peon.)".

2. The smooth functioning of the parliamentary system depends to a large extent on the efficiency of the party machine in the legislatures. The chief whips and leaders of parties and groups in Parliament are important party functionaries who play a vital role in the proper functioning of the parties/groups in Parliament and hence fulfil an important public purpose.

3. After due consideration of the matter as a whole and to implement the recommendation of the All-India Whips' Conference, it is proposed to provide for secretarial and telephone facilities to the leader and chief whip of each party which has a strength of not less than fifty members in respect of the Lok Sabha and twenty-five members in respect of the Rajya Sabha and of each group which has a strength of not less than thirty members in respect of the Lok Sabha and fifteen members in respect of the Rajya Sabha.

4. The Bill seeks to achieve the above object.

NEW DELHI;
The 23rd July, 1997.

SRIKANTA KUMAR JENA.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to provide secretarial and telephone facilities to the leader and chief whip of each party which has a strength of not less than fifty members in respect of the Lok Sabha and twenty-five members in respect of the Rajya Sabha and of each group which has a strength of not less than thirty members in the Lok Sabha and fifteen members in the Rajya Sabha.

2. The above provision would involve a recurring expenditure from the Consolidated Fund of India to the extent of ten lakhs and eighty-nine thousand rupees per annum approximately.

3. The provisions of the Bill do not involve any other expenditure of a recurring or non-recurring nature.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 of the Bill seeks to empower the Central Government to make rules to carry out the purposes of the Act.

2. The matters in respect of which the rules may be made are matters of administrative detail and procedure and, as such, the delegation of legislative power is of a normal character.

S. GOPALAN,
Secretary General.